

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

KENNETH W. PENDLETON,

Plaintiff,

v.

MADISON POLICE DEPARTMENT,
DET. JOHN MESSERT and
P.O. KELLEY E. DOUGHERTY,

Defendants.

ORDER

12-cv-84-slc

In an order dated April 2, 2012, I gave plaintiff Kenneth Pendleton an extension of time to pay an initial partial payment of the filing fee in the amount of \$27.42, because the court noticed that he had been transferred to a different institution. I gave him until April 18, 2012, in which to make the payment. Now, plaintiff has filed a letter requesting more time to pay his initial partial payment.

In his letter, plaintiff explains that he had sent his initial partial payment to the wrong court and they accepted the payment. He includes a disbursement request that shows that he did request his payment be sent to the Dane County Circuit Court in Madison, Wisconsin. Plaintiff requests an extension of time, at least until May 8, 2012, because that is when his mother is sending him some money. Plaintiff's request is reasonable and so I will allow him an extension of time to pay his initial partial payment.

Plaintiff is reminded that if he does not have the money to make the initial partial payment in his regular account, he may arrange with prison authorities to pay some or all of the assessment from his release account. This does not mean that plaintiff is free to ask prison authorities to pay *all* of his filing fee from his release account. The only amount plaintiff must pay at this time is the \$27.42 initial partial payment. Plaintiff should show a copy of this order

to prison officials to insure that they are aware they should send plaintiff's initial partial payment to this court.

ORDER

IT IS ORDERED that plaintiff Kenneth Pendleton's request for an extension of time to pay the initial partial filing fee, in this case, dkt. 7, is GRANTED. Plaintiff may have until May 15, 2012, in which to submit a check or money order made payable to the clerk of court in the amount of \$27.42. If, by May 15, 2012, plaintiff fails to make the initial partial payment or show cause for his failure to do so, he will be held to have withdrawn this action voluntarily. In that event, the clerk of court is directed to close this file without prejudice to plaintiff's filing his case at a later date.

Entered this 13th day of April, 2012.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge